

7-26-04

1723  
DFW




**PATENT**  
Attorney Docket No. 6381-27397

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence and the documents referred to as enclosed therein are being deposited with the United States Postal Service on July 23, 2004 in an envelope as 'Express Mail Post Office To Addressee' Mailing Label No. EV514094576US addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

  
Kenneth Solomon  
Reg. No. 31,427

In re application of:  
Boddu et al.

Serial No.: 09/912,627

Examiner Krishnan S. Menon

Filed: 07/24/2001

Group Art Unit 1723

For: COMPOSITE BIOSORBENT FOR :  
TREATMENT OF WASTE :  
AQUEOUS SYSTEM(S) :  
CONTAINING HEAVY METALS :

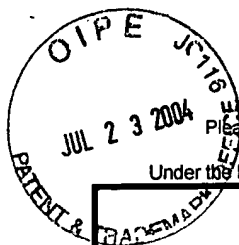
Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

**AMENDMENT AND RESPONSE**

In response to the Notice of Non-Compliant Amendment of June 15, 2004, having a time set to expire as of August 14, 2004, please enter the following amendments and consider the following remarks relating thereto:

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks/Response** begin on page 8 of this paper.



Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	<b>Application Number</b>	90/912,627	
	<b>Filing Date</b>	July 24, 2001	
	<b>First Named Inventor</b>	Boddu et al.	
	<b>Group Art Unit</b>	1723	
	<b>Examiner Name</b>	Krishnan S. Menon	
<b>Total Number of Pages in This Submission</b>	1	<b>Attorney Docket No.</b>	6381-27397

<b>ENCLOSURES (check all that apply)</b>		
<input type="checkbox"/> Charge Deposit Account -20-0823 <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> Affidavits/declarations(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 <input type="checkbox"/> Petition For Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b))	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Request To Rescind Previous Nonpublication Request <input type="checkbox"/> Response to Notice of Allowability <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Amendment Transmittal Letter, 2. Notice of Non-Compliant Amendment, and 3. Postcard
<b>Remarks:</b> <input checked="" type="checkbox"/> Commissioner is hereby authorized to charge fees in this application and any fees which may be required, or any overpayment, to Deposit Account 20-0823. I have enclosed a duplicate copy of this sheet <input type="checkbox"/> Amount: _____		

<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>	
<b>Firm or Individual Name</b>	Kenneth Solomon
<b>Signature</b>	
<b>Date</b>	July 23, 2004

<b>CERTIFICATE OF EXPRESS MAILING</b>	
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date: July 23, 2004	
<b>Typed or printed name</b>	Kenneth Solomon
<b>Signature</b>	
<b>Date</b>	July 23, 2004

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/05 (03-01)  
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Express Mail No.: EV514094576US

Attorney Docket No.

6381-27397

First Inventor: Boddu et al.

**AMENDMENT TRANSMITTAL LETTER**

**Title: COMPOSITE BIOSORBENT FOR TREATMENT OF WASTE AQUEOUS SYSTEM(S) CONTAINING HEAVY METALS**

Serial No.

09/912,627

Filing Date

July 24, 2001

Examiner

Krishnan S. Menon

Group Art Unit

1723

**TO THE COMMISSIONER FOR PATENTS:**

Transmitted herewith is an amendment in the above-identified application.

☒ Large Entity Status

☐ Small Entity status of this application has been established under 37 CFR 1.27

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED – PART II						SMALL ENTITY		OTHER THAN SMALL ENTITY	
		(Column 1)		(Column 2)	(Column 3)				
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
	Total (37 CFR 1.16(c))	*37	Minus	**42	=0	x \$ _____ =	0.00	x \$ _____ =	0.00
	Independent (37 CFR 1.16(b))	*6	Minus	***8	=0	x \$ _____ =	0.00	x \$ _____ =	0.00
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					x \$ _____ =		+ \$ _____ =	
						TOTAL ADDIT. FEE	0.00	TOTAL ADDIT. FEE	0.00

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

☐ Petition of Extension of Time.

☒ If an extension or an additional extension of time is required, but is not enclosed, please consider this a conditional petition therefor and charge Deposit Account 20-0823 accordingly.

☒ No additional fee is required for amendment.

☐ A check in the amount of the fee is enclosed.

☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. 20-0823.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 20-0823.  
I have enclosed a duplicate copy of this sheet.

☒ Any additional filing fees required under 37 C.F.R. 1.16.

☒ Any patent application processing fees under 37 C.F.R. 1.17.

Kenneth Solomon  
Signature  
Kenneth Solomon Reg. No. 31,427  
Thompson Coburn LLP  
One US Bank Plaza  
St. Louis, MO 63101-9928  
314-552-6000  
314-552-7000 FAX

Date: July 23, 2004

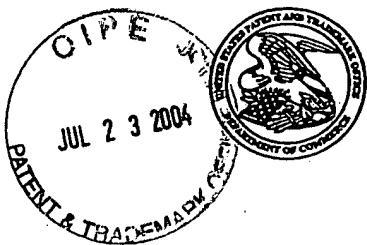
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Signature: Kenneth Solomon

Type Name: Kenneth Solomon

Custom No.: 021888  
2360807



09/19/2004

COMMISSIONER FOR PATENT AND TRADEMARK  
P.O. BOX  
ALEXANDRIA, VA 22312  
www.uspto.gov

## BEST AVAILABLE COPY

Paper No.

## Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 6/29/04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. **Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.** 37 CFR 1.121(h).

## THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_
- ☐ 3. Amendments to the drawings: \_\_\_\_\_
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☒ B. The listing of claims does not include the text of all claims (including withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: Claims 40-51.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

*Jeffrey N. Nardella*  
Legal Instruments Examiner (LIE)

571-272-1059  
Telephone No.

RECEIVED

JUL 19 2004

Thompson Coburn LLP

DOCKETED

JUL 19 2004

Thompson Coburn LLP